

POWER OF ATTORNEY FOR PATENT APPLICATION BY ASSIGNEE



Assignee **The Burnham Institute** is the owner of the entire right, title and interest of U.S. patent application Ser. No. 09/350,518, filed on July 9, 1999, as attorney docket number P-LJ 3578, and entitled **A METHOD FOR DETERMINING PROGNOSIS OF CANCER PATIENTS BY MEASURING LEVELS OF BAG EXPRESSION**, and any subsequently filed divisional, continuation, continuation-in-part or reissue application, including international and foreign applications claiming priority thereto.

The Assignee hereby appoints the following attorneys to prosecute these applications and to transact all related business in the United States Patent and Trademark Office and any international and foreign patent offices:

CATHRYN CAMPBELL, Registration No. 31,815; SUSAN M. PERKINS, Registration No. 36,405; PAUL C. STEINHARDT, Registration No. 30,806; GREGORY R. HOOK, Registration No. 38,701; DAVID SPOLTER, Registration No. 36,933; DAVID A. GAY, Registration No. 39,200; CALVIN A. FAN, Registration No. 38,444; ROBERT T. RAMOS, Registration No. 37,915; ANDREA L. GASHLER, Registration No. 41,029; JAMES J. WONG, Registration No. 34,949; and DEBORAH L. CADENA, Registration No. 44,048.

Please direct all telephone calls to Cathryn Campbell at (858) 535-9001 and address all correspondence to:

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CAMPBELL & FLORES LLP  
4370 La Jolla Village Drive  
Suite 700  
San Diego, California 92122

Inventor: John C. Reed  
Serial No.: 09/350,518  
Filed: July 9, 1999  
Page 2



The undersigned is authorized to sign on behalf of  
the Assignee.

Signature:

*Cheryl A. Moore*

Name (typed):

Cheryl A. Moore

Title:

V.P.,  
Chief Administrative Officer

Assignee:

The Burnham Institute

Date:

Aug 18, 1999

PATENT

Our Docket: P-LJ 3578

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
John C. Reed	)	Group Art Unit: Not Yet Known
	)	
Serial No: 09/350,518	)	Examiner: Not Yet Known
	)	
Filed: July 9, 1999	)	
	)	
For: A METHOD FOR DETERMINING	)	
THE PROGNOSIS OF CANCER	)	
PATIENTS BY MEASURING	)	
LEVELS OF BAG EXPRESSION	)	
	)	
<hr/>		
Asst. Commissioner for Patents		
Washington, D.C. 20231		

CERTIFICATE UNDER 37 C.F.R. § 3.73 (b)

ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

Sir:

**THE BURNHAM INSTITUTE**, the assignee in the patent application identified above seeks to take action in the Patent and Trademark Office in this matter.

**THE BURNHAM INSTITUTE** certifies that it is the assignee in the patent application identified above by virtue of the following Assignment:

From: John C. Reed To: THE BURNHAM INSTITUTE, for which a copy thereof is attached.

Inventors: John C. Reed  
Serial No.: 09/350,518  
Filed: July 9, 1999  
Page 2

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Assignee: THE BURNHAM INSTITUTE

By: 

Name: Cheryl A. Moore

Title: V.P., Chief Administrative Officer

Date: 8/18/99

**CERTIFICATE UNDER 37 C.F.R. §3.73 (b)**  
**P-LJ 3578**  
**Serial No.: 09/350,518**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 7, 1999.

By   
Robert T. Ramos, Reg. No. 37,915

October 7, 1999  
Date of Signature



POWER OF ATTORNEY FOR PATENT  
APPLICATION BY ASSIGNEE  
P-LJ 3578  
Serial No.: 09/350,518

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on October 7, 1999.

By   
Robert T. Ramos, Reg. No. 37,915

October 7, 1999  
Date of Signature

VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
P-LJ 3578  
Serial No.: 09/350,518



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Attn: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C. 20231, on October 7, 1999.

By   
Robert T. Ramos, Reg. No. 37,915

October 7, 1999  
Date of Signature

SECTOR 4



DECLARATION FOR PATENT APPLICATION  
P-LJ 3578  
Serial No.: 09/350,518

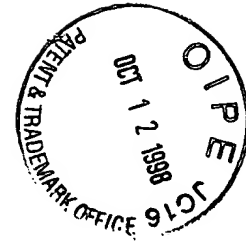
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on October 7, 1999.

By   
Robert T. Ramos, Reg. No. 37,915

October 7, 1999  
Date of Signature



#4



Attorney Docket No.: P-LJ 3578  
Applicants or Patentees: John C. Reed  
Serial or Patent No.: 09/350,518  
Filed or Issued: July 9, 1999

Title: A METHOD FOR DETERMINING THE PROGNOSIS OF CANCER  
PATIENTS BY MEASURING LEVELS OF BAG EXPRESSION

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d)) NONPROFIT ORGANIZATION**

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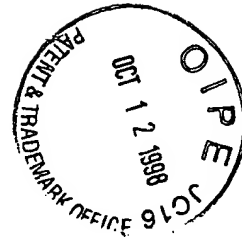
I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION: THE BURNHAM INSTITUTE  
ADDRESS OF NONPROFIT ORGANIZATION: 10901 North Torrey Pines Road  
La Jolla, California 92037

TYPE OF NONPROFIT ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

Inventor: John C. Reed  
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I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention entitled **A METHOD FOR DETERMINING THE PROGNOSIS OF CANCER PATIENTS BY MEASURING LEVELS OF BAG EXPRESSION** by inventor(s) John C. Reed described in:

☐ the specification filed herewith  
☒ application serial no. 09/350,518, filed July 9, 1999  
☐ patent no. , issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any persons, other than the inventors, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

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Serial No.: 09/350,518  
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NAME:

ADDRESS:

- ☐ INDIVIDUAL
- ☐ SMALL BUSINESS CONCERN
- ☐ NONPROFIT ORGANIZATION

NAME:

ADDRESS:

- ☐ INDIVIDUAL
- ☐ SMALL BUSINESS CONCERN
- ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Inventor: John C. Reed  
Serial No.: 09/350,518  
Filed: July 9, 1999  
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Name of Person Signing: Cheryl A. Moore

Title in Organization of Person Signing: Vice President  
Chief Administrative Officer

Address of Person Signing: 10901 North Torrey Pines Road

La Jolla, CA 92037

Signature: *Cheryl A. Moore*

Date: 8/18/99